

Message Text

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PAGE 01 MONTRE 01581 090015Z

64

ACTION EB-03

INFO OCT-01 EUR-10 ISO-00 AF-04 ARA-10 EA-07 NEA-06 RSC-01

IO-03 OIC-01 CAB-01 CIAE-00 COME-00 DODE-00 DOTE-00

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FM AMCONSUL MONTREAL

TO SECSTATE WASHDC PRIORITY 5438

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TAGS: EAIR, XX

SUBJ: NINTH REPORT OF US DELEGATION TO ICAO ASSEMBLY, MONTREAL,
OCTOBER 7

1. EXECUTIVE COMMITTEE CONSIDERED SUGGESTED DRAFT REPORT ON ITEM 39, MUTUAL ASSISTANCE AMONG CONTRACTING STATES IN INVESTIGATION OF CERTAIN AIRCRAFT ACCIDENTS. US IMMEDIATELY PROPOSED THAT COMMISSION ADD TO INITIAL RESOLVING CLAUSE (RECOMMENDING ALL STATES COOPERATE IN INVESTIGATIONS) THE WORDS "TO THE EXTENT POSSIBLE". UK CONSIDERED PARA. B) OF THIS CLAUSE (RECOMMENDING THAT CONTRACTING STATES SEEKING INVESTIGATION EXPERIENCE BE AFFORDED OPPORTUNITY TO ATTEND INVESTIGATIONS OF MAJOR AIRCRAFT ACCIDENTS) WAS MORE PROPERLY A TRAINING ITEM. USSR AGREED WITH UK AND ALSO PROPOSED DELETION OF PARA. A) OF SECOND RESOLVING CLAUSE (CALLING FOR COUNCIL TO STUDY MEANS BY WHICH CONTRACTING STATES COULD BE MADE AWARE OF EXPERTISE AND FACILITIES) AND MERGER OF PARAS. B) AND C) (CALLING FOR STUDY OF COSTS OF INVESTIGATIONS AND MEANS OF APPORTIONING THEM). AFTER OTHER STATES HAD EXPRESSED THEIR VIEWS, CHAIRMAN REQUESTED SPECIFIC PROPOSALS. UK PROPOSED SIMPLIFICATION OF FIRST RESOLVING CLAUSE AND DELETION OF ITS PARA. B). PROPOSAL FAILED 9 (US) -54-1(NIGERIA). US THEN PROPOSED ORIGINAL FIRST RESOLVING CLAUSE WITH "TO THE EXTENT POSSIBLE" ADDED. SENEGALESE PROPOSAL TO DELETE US ADDITION

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PAGE 02 MONTRE 01581 090015Z

FAILED 13-28 (US). CLAUSE THEN ADOPTED BY VOTE OF 54 (US)-2

(MALI)-1 (VIETNAM). AFTER CHANGES SUGGESTED FOR SECOND RESOLVING CLAUSE, USSR REQUESTED CLEAN TEXT FOR CONSIDERATION AT NEXT MEETING.

2. CHAIRMAN OF LEGAL COMMISSION PRESENTED ITS REPORT TO EXECUTIVE COMMITTEE ON ITEM 14, AMENDMENT OF RULE 54. COMMISSION HAD BEEN ABLE TO REDUCE NUMBER OF PROPOSALS FOR AMENDMENT TO TWO BUT DUE PRINCIPALLY TO INSUFFICIENT TIME HAD BEEN UNABLE TO PRESENT A DEFINITIVE PROPOSAL. CHAIRMAN SUGGESTED COMMITTEE EITHER AGREE ON ONE OF THE TWO TEXTS OR LET THE COUNCIL STUDY THE MATTER FURTHER. MOROCCO AND SENEGAL SUGGESTED THAT THE WHOLE MATTER OF AN AMENDMENT TO RULE 54 BE ABANDONED. US SAID MATTER SHOULD BE REFERRED BACK TO COUNCIL. BARBADOS SUGGESTED MATTER BE REFERRED TO LEGAL COMMITTEE AS DID FRANCE AND QATAR. UK FAVORED QUICK SOLUTION THROUGH PROPOSED AMENDMENT TO RULE 46 OR REFERRAL BACK TO COUNCIL. USSR PREFERRED LATTER COURSE. WHEN VOTE WAS TAKEN, 58 FAVORED REFERRAL BACK TO COUNCIL AND ONLY 6 TO LEGAL COMMITTEE. CHAIRMAN POINTED OUT COUNCIL COULD REQUEST ADVICE OF LEGAL COMMITTEE ON MATTER.

3. TECHNICAL COMMISSION DISCUSSED ITEM 22, APPENDIX M, CONCERNING THE DELINEATION OF AIR TRAFFIC SERVICE AIRSPACE IN REGIONAL AIR NAVIGATION PLANS AND COMPLETED ACTION. AS A RESULT OF THREE VOTES, PROPOSAL BY FRG, SECONDED BY BARBADOS AND NIGERIA, CONCERNING RESOLVING CLAUSE (6) (HAVING TO DO WITH THE AUTHORITY OF THE COUNCIL IN ESTABLISHING FIR BOUNDARIES OVER THE HIGH SEAS) WAS ACCEPTED. THE US VOTED IN FAVOR OF CLAUSE (6). AN ASSOCIATED PRACTICE WAS ACCEPTED CALLING FOR STATES PROVIDING ATS SERVICE IN FIR'S OVER THE HIGH SEAS TO ENTER INTO AGREEMENTS WITH APPROPRIATE STATES SO THAT IN THE EVENT THE REQUIRED AIR TRAFFIC SERVICE OVER THE HIGH SEAS CANNOT BE PROVIDED, CONTINGENCY PLAN WILL BE AVAILABLE. THIS ASSOCIATED PRACTICE IS IN ACCORDANCE WITH THE US POSITION AND IS THE RESULT OF US INITIATIVE.

4. AGENDA ITEM 40 COVERING AIR TRANSPORTATION SECURITY WAS DISCUSSED AND THE DRAFT RESOLUTION SUBMITTED BY THE COUNCIL WAS APPROVED WITH SEVERAL RATHER MINOR CHANGES. THE MOST SIGNIFICANT WAS IN RESOLVING CLAUSE 2. THE IMPLEMENTATION WAS EXPANDED TO INCLUDE THOSE RESOLUTIONS OF THE 17TH ASSEMBLY THAT REMAIN IN FORCE. A PROPOSAL BY THE UK TO INCLUDE A RESOLVING CLAUSE

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PAGE 03 MONTRE 01581 090015Z

COVERING PROVISION OF FACILITIES FOR PASSENGER AND BAGGAGE SEARCH WAS APPROVED BY A NARROW VOTE AFTER CONSIDERABLE DISCUSSION (US OPPOSED ON BASIS GENERAL WEAKENING OF OTHER RESOLVING CLAUSES). US POSITION AGENDA ITEM 40 SUSTAINED.

5. ECONOMIC COMMISSION APPROVED BY CONSENSUS REVISED TEXT OF PARA. 14 OF WP 21, EMPHASIZING EXAMINATION OF MACHINERY FOR ESTABLISHMENT OF INTERNATIONAL FARES AND RATES. WORD "SCHEDULED".

WAS DELETED FROM PARA. 14 B)3). COMMISSION ALSO VOTED 30-6-(US) -
17 IN FAVOR OF PROPOSAL BY SWEDEN AND SWITZERLAND TO HAVE ICAO
CONDUCT A STUDY TO EXPLORE THE FEASIBILITY AND RELATIVE
BENEFITS OF EITHER AN ICAO STANDARD TARIFF CLAUSE OR AN
INTERNATIONAL AGREEMENT EMBODYING SUCH A CLAUSE. SPECIFIC
REFERENCE TO ECAC AGREEMENT WAS DELETED BY TUNISIA AFTER
ACCEPTANCE BY SWEDEN AND SWITZERLAND. US WAS JOINED IN OPPOSITION
TO RESOLUTION BY GHANA, INDIA, NEW ZEALAND, CANADA AND IRELAND.

6. BUDGET WORKING GROUP EXAMINED IN DETAIL PARTS II AND VI OF
BUDGET ESTIMATES AS WELL AS ITEM ON MISCELLANEOUS INCOME.
GROUP COMPLETED ITS EXAMINATION OF AMENDMENTS TO FINANCIAL
REGULATIONS (ITEM 32) AND THE WORKING CAPITAL FUND
(ITEM 36).
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